



DECLARATION FOR PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled IMPROVED PERFUSION INCUBATOR, the specification of which:

- ☐ is attached hereto.
- ☒ was filed on September 15, 2003 as Application Serial No. 10/662,981.
- ☐ and was amended on _____ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability as defined in Title 37, Code of Federal Regulations, § 1.56(a).

I hereby claim foreign priority benefits under 35 U.S.C. § 119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate or § 365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or PCT International application having a filing date before that of the application on which priority is claimed:

| Prior Foreign Application(s) | | | Priority Claimed | |
|------------------------------|-----------|------------------------|-------------------------------------|--------------------------|
| PQ6530 | Australia | March 28, 2000 | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 2002951423 | Australia | September 17, 2002 | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| (Number) | (Country) | (Day/Month/Year Filed) | Yes | No |

I hereby claim the benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below:

| | |
|--------------------------|--------------------|
| 60/412,423 | September 17, 2002 |
| (Application Serial No.) | (Filing Date) |

I hereby claim the benefit under 35 U.S.C. § 120 of any United States application(s), or § 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR § 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application:

| | | |
|--------------------------|----------------|---------------------------------------|
| 09/819,407 | March 28, 2001 | Patented - Issued 9-30-03 |
| (Application Serial No.) | (Filing Date) | (Status-patented, pending, abandoned) |

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Inventor's Signature

Full name of sole or first inventor

Residence

Citizenship

Post Office Address

Allan Joseph Hilling Smith

Date:

02/09/04

Allan Joseph Hilling Smith

Queensland, Australia

Australia

59 Delavan Street, Wishart, Queensland 4122, Australia

BRINKS HOFER GILSON & LIONE

P.O. Box 10395

Chicago, IL 60610

(312) 321-4200

Case No. _____

Inventor's Signature _____ Date: _____
Full name of second joint inventor, if any David Sean O'Brien
Residence Queensland, Australia
Citizenship Australia
Post Office Address 136 Orchard Road, Redland Bay, Queensland 4165, Australia

Inventor's Signature _____ Date: _____
Full name of third joint inventor David Paul Michel
Residence Queensland, Australia
Citizenship Australia
Post Office Address 1 Gordon Road, Redland Bay, Queensland 4165 Australia

Inventor's Signature _____ Date: _____
Full name of fourth joint inventor Paul Chan
Residence Queensland, Australia
Citizenship Australia
Post Office Address 8 Oyster Point Esplanade, Scarborough, Queensland 4020, Australia

Inventor's Signature _____ Date: _____
Full name of fifth joint inventor _____
Residence _____
Citizenship _____
Post Office Address _____

Inventor's Signature _____ Date: _____
Full name of sixth joint inventor _____
Residence _____
Citizenship _____
Post Office Address _____

Inventor's Signature _____ Date: _____
Full name of seventh joint inventor _____
Residence _____
Citizenship _____
Post Office Address _____

Case No. 10922-58**DECLARATION FOR PATENT APPLICATION**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled IMPROVED PERFUSION INCUBATOR, the specification of which:

- ☐ is attached hereto.
- ☒ was filed on September 15, 2003 as Application Serial No. 10/662,981.
- ☐ and was amended on _____ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability as defined in Title 37, Code of Federal Regulations, § 1.56(a).

I hereby claim foreign priority benefits under 35 U.S.C. § 119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate or § 365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or PCT International application having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)**Priority Claimed**

| | | | | |
|-------------------|------------------|---------------------------|-------------------------------------|--------------------------|
| <u>PQ6530</u> | <u>Australia</u> | <u>March 28, 2000</u> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| <u>2002951423</u> | <u>Australia</u> | <u>September 17, 2002</u> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| (Number) | (Country) | (Day/Month/Year Filed) | Yes | No |

I hereby claim the benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below:

| | |
|--------------------------|---------------------------|
| <u>60/412,423</u> | <u>September 17, 2002</u> |
| (Application Serial No.) | (Filing Date) |

I hereby claim the benefit under 35 U.S.C. § 120 of any United States application(s), or § 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR § 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application:

| | | |
|--------------------------|-----------------------|---------------------------------------|
| <u>09/819,407</u> | <u>March 28, 2001</u> | <u>Patented - Issued 9-30-03</u> |
| (Application Serial No.) | (Filing Date) | (Status-patented, pending, abandoned) |

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Inventor's Signature

Full name of sole or first inventor

Residence

Citizenship

Post Office Address

Date:

Allan Joseph Hilling SmithQueensland, AustraliaAustralia59 Delavan Street, Wishart, Queensland 4122, Australia

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Chicago, IL 60610

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Inventor's Signature
 Full name of second joint inventor, if any
 Residence
 Citizenship
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Sean O'Brien Date: 09/02/2004
David Sean O'Brien
Queensland, Australia
Australia
136 Orchard Road, Redland Bay, Queensland 4165, Australia

Inventor's Signature
 Full name of third joint inventor
 Residence
 Citizenship
 Post Office Address

David Paul Michel Date: 09/02/2004
David Paul Michel
Queensland, Australia
Australia
1 Gordon Road, Redland Bay, Queensland 4165 Australia

Inventor's Signature
 Full name of fourth joint inventor
 Residence
 Citizenship
 Post Office Address

Paul Chan Date: 10/2/2004
Paul Chan
Queensland, Australia
Australia
8 Oyster Point Esplanade, Scarborough, Queensland 4020, Australia

Inventor's Signature
 Full name of fifth joint inventor
 Residence
 Citizenship
 Post Office Address

____ Date: _____

Inventor's Signature
 Full name of sixth joint inventor
 Residence
 Citizenship
 Post Office Address

____ Date: _____

Inventor's Signature
 Full name of seventh joint inventor
 Residence
 Citizenship
 Post Office Address

____ Date: _____

Inventor(s): ALLAN JOSEPH HILLING SMITH, DAVID SEAN O'BRIEN, DAVID PAUL MICHAEL AND PAUL CHANTitle: IMPROVED PERFUSION INCUBATOR**POWER OF ATTORNEY**

The specification of the above-identified patent application:

- ☐ is attached hereto
☒ was filed on September 15, 2003 as application Serial No. 10/662,981

I hereby appoint the following attorneys to prosecute said patent application and to transact all business in the Patent and Trademark Office connected therewith:

| | | |
|--|---|---------------------------------------|
| Raymond W. Green, Reg. No. 24,587 | James A. Collins, Reg. No. 43,557 | Richard J. Godlewski, Reg. No. 30,056 |
| Jerold A. Jacover, Reg. No. 26,284 | Vineet Gauri, Reg., No., 44,701 | James B. Hunt, Reg. No. 40,276 |
| A. James Richardson, Reg. No. 26,983 | Richard E. Stanley, Reg. No. 45,662 | Charles W. Agnew, Reg. No. 44,497 |
| James P. Naughton, Reg. No. 30,665 | L.G. Almeda, Reg. No. 46,151 | |
| Steven Oberholtzer, Reg. No. 30,670 | Timothy K. Klintworth, Reg. No. 46,162 | |
| Rodney A. Daniel, Reg. No. 31,605 | DeWayne Hughes, Reg. No. 46,783 | |
| Jeffery M. Duncan, Reg. No. 31,609 | Peter Breen, Reg. No. 47,411 | |
| Thomas J. Filarski, Reg. No., 31,612 | Carmen Matos Michael, Reg. No. 47,493 | |
| Lawrence A. Steward, Reg. No. 32,309 | Christopher A. Harkins, Reg. No. 48,775 | |
| G. Peter Nichols, Reg. No. 34,401 | Jonathan M. Blanchard, Reg. No. 48,927 | |
| Michael E. Milz, Reg. No. 34,880 | Jonathan P. Taylor, Reg. No. 48,338 | |
| Janet A. Pioli, Reg. No. 35,323 | John Card, Reg. No. 48,423 | |
| Margaret Dobrowsky, Reg. No. 36,501 | Stephanie J. Felicetty, Reg. No. 50,814 | |
| Dominic P. Zanfardino, Reg. No. 36,068 | Samuel Shehadeh, Reg. No. 52,215 | |
| Shannon K. Mrksich, Reg. No. 36,675 | Peter Brunovskis, Reg. No. 52,441 | |
| Meredith Martin Addy, Reg. No. 37,883 | Alejandro Fernandez, Reg. No. 52,886 | |
| David W. Okey, Reg. No. 42,959 | | |

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Please address all correspondence and telephone calls to Jonathan M. Blanchard, Ph.D. in care of:

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Chicago, IL 60610
(312)321-4200

The undersigned hereby authorizes the U.S. attorneys named herein to accept and follow instructions from Richard J. Godlewski, James B. Hunt and Charles W. Agnew as to any action to be taken in the Patent and Trademark Office regarding this application without direct communication between the U.S. attorney and the undersigned. In the event of a change in the persons from whom instructions may be taken, the U.S. attorneys named herein will be so notified by the undersigned.

COOK UROLOGICAL INCORPORATED, a corporation, certifies that it is the assignee of the entire right, title and interest in the patent application identified above by virtue of either:

- ☒ An assignment from the inventor(s) of the patent application identified above, a copy of which is attached hereto.
OR
☐ An assignment from the inventor(s) of the patent application identified above. The assignment was recorded in the Patent and Trademark Office at Reel _____, frame _____.
OR
☐ A chain of title from the inventor(s), of the patent application identified above, to the current assignee as shown below:
- From _____ To: _____
The document was recorded in the Patent and Trademark Office at Reel _____, frame _____, or a copy thereof is attached.
 - From _____ To: _____
The document was recorded in the Patent and Trademark Office at Reel _____, frame _____, or a copy thereof is attached.
- ☐ Additional documents in the chain of title are listed on a supplemental sheet.

The undersigned has reviewed the assignment or all the documents in the chain of title of the patent application identified above and, to the best of undersigned's knowledge and belief, title is in the assignee identified above.

The undersigned (whose title is supplied below) is empowered to act on behalf of the assignee.

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Signature



Date:

3-1-04

Name:

CHARLES W. FRANZ

Title:

PRESIDENT